

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16802 of 2018

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Shakal Deo Prasad S/o Late Yogeshwar Singh R/o Village Sare, P.S. Asthana,
District - Nalanda, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna
2. The Principal Secretary, Department of Food and Consumer Protection, Bihar, Patna.
3. The Managing Director, Bihar State Food and Civil Supplies Corporation, Sone Bhawan, Patna.
4. The Accountant General A and E, Bihar, Patna.
5. The District Magistrate, Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rana Vikram Singh
For the State	:	Mr. Alok Ranjan
For the BSFC	:	Mr. Harish Kumar
For the AG	:	Mr. R.K.Choubey

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-06-2020 The present writ petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard Mr. Rana Vikram Singh, the leaned counsel for the petitioner, Mr. Alok Ranjan, the learned counsel appearing for the State, Mr. Harish Kumar, the learned counsel for the BSFC and Mr. Ram Kinker Choubey, the learned counsel appearing for



the Accountant General.

The learned counsel for the petitioner submits that initially, the petitioner had put forth his claim in the present writ petition on the basis of a judgment rendered by the learned Division Bench of this Court dated 12.12.2017 passed in LPA No. 716 of 2017 and other analogous cases (*Mukhteshwar Prasad Singh & Anr. Vs. The State of Bihar & Ors.*). However, the respondents have filed a counter affidavit wherein a judgment, overruling all previous judgments, has been annexed, which has been passed by the learned Full Bench of this Court vide judgment dated 1.11.2018 passed in CWJC No. 13495 of 2008 and other analogous cases (*Harishankar Prasad & Anr. Vs. The State of Bihar & Ors.*), reported in *2018 (4) PLJR 889*.

In such view of the matter, it is fairly submitted by the learned counsel for the petitioner that now, the petitioner has no case in view of the Full Bench judgment dated 1.11.2018, rendered in the case of *Harishankar Prasad & Anr. (supra)*.

Having regard to the submissions made by the learned counsel for the petitioner and taking into account the law laid down by the learned Full Bench of this Court in the case of *Harishankar Prasad & Anr. (supra)*, the claim as put forth by the petitioner does not survive, hence, the present writ petition



stands disposed of in terms of the aforesaid Full Bench
judgment dated 1.11.2018, as reported in *2018 (4) PLJR 889*.

(Mohit Kumar Shah, J)

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